

249701

STATE OF SOUTH CAROLINA

(Caption of Case)

United Telephone Company of the Carolinas LLC  
d/b/a CenturyLink Notification of Intent to  
Discontinue Equal Access Scripting

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

(Please type or print)

Submitted by: Jeanne Stockman

Address: 14111 Capital Boulevard

Wake Forest, NC 27587

SC Bar Number: \_\_\_\_\_

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Other: \_\_\_\_\_

Email: jeanne.w.stockman@centurylink.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)

- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☐ Telecommunications  
☐ Transportation  
☐ Water  
☐ Water/Sewer  
☐ Administrative Matter  
☐ Other: \_\_\_\_\_

NATURE OF ACTION (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Affidavit                 | <input checked="" type="checkbox"/> Letter                 | <input type="checkbox"/> Request                               |
| <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification             |
| <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigation             |
| <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement                      |
| <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment                      |
| <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter                    |
| <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                              |
| <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery                 |
| <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition                    |
| <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation                           |
| <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                              |
| <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                                |
| <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input checked="" type="checkbox"/> Other: <u>Notification</u> |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
| <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

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March 26, 2014

**VIA OVERNIGHT DELIVERY**

Ms. Jocelyn Boyd  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
Synergy Business Park  
101 Executive Center Drive  
Columbia, SC 29210

Re: United Telephone Company of the Carolinas LLC d/b/a CenturyLink  
Notification of Intent to Discontinue Equal Access Scripting

Dear Ms. Boyd:

United Telephone Company of the Carolinas LLC d/b/a CenturyLink ("CenturyLink") writes to notify the Commission of CenturyLink's intent to discontinue equal access scripting for in-state long distance services in light of recent federal action on this issue. The FCC has found that this requirement is no longer necessary for interLATA long distance services, finding the requirement provides little benefit while imposing costs and burdens on a disproportionate few carriers. Based on the FCC's elimination of equal access scripting at the federal level, CenturyLink intends to discontinue equal access scripting for in-state long distance services to create regulatory parity and avoid customer confusion.

As the Commission is aware, following divestiture in 1984, the Federal Communications Commission ("FCC") imposed equal access requirements in order to implement dialing parity for newly competitive interLATA long distance services.<sup>1</sup> Under the equal access scripting requirement, incumbent local exchange carriers ("ILECs") had to inform new local exchange customers that they could obtain stand-alone long distance service from other carriers and offer to read the customers a list of carriers offering long distance service in their area. At that time, competition in the interstate long distance market was in its early stages. The equal access scripting requirement helped ensure that customers fully understood that they had a choice of interLATA long distance service providers.

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<sup>1</sup> *United States v. Western Elec. Co., Inc.*, 578 F. Supp. 668, 670 (D.D.C. 1983) (equal access requirements were meant to abolish a "substantial disparity in dialing convenience" caused by end-users having to dial a multiple-digit access code to access interexchange carriers other than AT&T).

Since that time, competition in the long distance market has flourished and customers enjoy numerous competitive alternatives. The development of competition, among other things, prompted AT&T in 2007 to ask the FCC to forbear from enforcing the equal access scripting requirements it had imposed. The FCC granted AT&T's request, concluding that "competition for stand-alone long distance services would function better absent the potential market-place distorting effects of the current [equal access] scripting requirement."<sup>2</sup> This forbearance, however, applied only to Regional Bell Operating Companies ("RBOCs") and independent ILECs like CenturyLink remained subject to the scripting rules.

In 2013, the FCC extended this forbearance to all independent ILECs. The FCC relied on much of the same rationale as it had in 2007, finding that equal access scripting provides little, if any, benefit, imposes a disproportionate burden on independent ILECs, and is no longer necessary given the high level of competition in the market:

We conclude that the EA Scripting Requirement provides *de minimis*, if any, benefits. At the same time, it imposes costs on independent ILECs. Their customer service representatives must spend time advising customers that they can obtain stand-alone long distance service and be prepared to read lists of carriers that can provide such service if customers request this. Given the lack of benefits generated by this requirement, we also conclude that its removal would foster competition by removing regulatory requirements and the resulting costs that affect only ILECs subject to the rule and not their competitors. We therefore forbear from the requirement for all ILECs that have not previously been granted forbearance.<sup>3</sup>

In light of this action by the FCC, CenturyLink files the instant letter to notify the Commission that CenturyLink intends to discontinue equal access scripting for in-state long distance services in South Carolina. CenturyLink is not aware of a specific Commission requirement to provide equal access scripting for in-state long distance services, but files this notice out of an abundance of caution. CenturyLink respectfully submits that discontinuing equal access scripting will serve the public interest by creating regulatory parity among inter- and intrastate long distance services and avoiding customer confusion from disparate treatment of similar services.

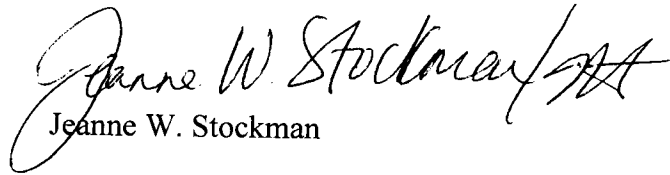
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<sup>2</sup> *Petition of AT&T Inc. for Forbearance Under 47 U.S.C. §160(c) with Regard to Certain Dominant Carrier Regulations for In-Region, Interexchange Services*, Report and Order and Memorandum Opinion and Order, WC Docket Nos. 02-112, 00-175, 06-120, August 31, 2007, ¶¶ 123-24 ("current EA Scripting Requirement is likely to distort competition" and "harm consumers" "and thus we find that forbearance from that requirement is in the public interest").

<sup>3</sup> *Petition of USTelecom for Forbearance Under 47 U.S.C. § 160(c) from Enforcement of Certain Legacy Telecommunications Regulations, et al.*, WC Docket 12-61 *et al.*, Memorandum Opinion and Order and Report and Order and Further Notice of Proposed Rulemaking and Second Further Notice of Proposed Rulemaking, issued May 17, 2013, ¶ 17.

If you have any questions or concerns, please do not hesitate to contact me at (919) 554-7621 or Zel Gilbert at (803) 252-4505.

Sincerely,

A handwritten signature in black ink, reading "Jeanne W. Stockman" with a stylized flourish at the end.

Jeanne W. Stockman

cc: Zel Gilbert